

June 28, 2013

Margaret M. Fox

pfox@mcnair.net
T (803) 799-9800
F (803) 753-3278

Ms. Jocelyn Boyd
Chief Clerk and Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive
Columbia, South Carolina 29210

Re: In the Matter of Application of Horry Telephone Cooperative, Inc. for
Designation as an Eligible Telecommunications Carrier Pursuant to
Section 214(e)(2) of the Communications Act of 1934
Docket Nos. 2007-402-C and 2013-14-C

Dear Ms. Boyd:

Attached for filing on behalf of Horry Telephone Cooperative, Inc., formerly certified as HTC Communications, LLC ("HTC"), please find a Motion for Confidential Treatment of HTC's ETC Annual Report and Network Improvement Plan ("Plan").

As described in the Motion, HTC's Plan is being filed with the Commission separately under seal, with a copy provided to the Office of Regulatory Staff. The Plan is being filed pursuant to Commission Regulation 103-690(1)(B).

Thank you for your assistance. If you should have any questions, please do not hesitate to contact me.

Very truly yours,

McNAIR LAW FIRM, P.A.



Margaret M. Fox

MMF:rwm
Enclosures

cc: Nanette S. Edwards, Esquire, ORS

McNair Law Firm, P. A.
1221 Main Street
Suite 1600
Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

mcnair.net

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BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NOS. 2007-402-C AND 2013-14-C

In the Matter of Application of Horry Telephone)
Cooperative, Inc. for Designation as an Eligible)
Telecommunications Carrier Pursuant to Section)
214(e)(2) of the Communications Act of 1934)

MOTION FOR CONFIDENTIAL TREATMENT

Horry Telephone Cooperative, Inc. (“HTC”), formerly certified as HTC Communications, LLC, respectfully requests that the South Carolina Public Service Commission (the “Commission”) grant confidential treatment of its ETC Annual Report and accompanying Network Improvement Plan. This motion is made on the following grounds:

1. As required by Commission regulation 103.690, HTC is filing an ETC Annual Report and accompanying Network Improvement Plan (“the Plan”) which contains confidential, proprietary and competitively-sensitive business information. The Plan consists of detailed maps and other information showing actual improvements or upgrades made to HTC’s network since HTC’s designation as an eligible telecommunications carrier (“ETC”) in 2008, and proposed specific improvements or upgrades to be funded by support over the next two years, including projected start and completion dates for each improvement, estimated amount of investment for each project funded by support, estimated population to be served, and coverage areas before and after improvements.
2. The maps and related information included within the Plan contain confidential, proprietary, competitively-sensitive business and technical information which, if disclosed, would cause competitive harm to HTC. Protection of such confidential and proprietary information is

consistent with Commission precedent. Additionally, the South Carolina Freedom of Information Act, S.C. Code Ann. 30-4-10 *et seq.*, exempts “trade secrets” from public disclosure. Trade secrets include “unpatented, secret, commercially valuable plans, appliances, formulas, or processes, which are used for the making, preparing, compounding, treating, or processing of articles or materials which are trade commodities...which are generally recognized as confidential and work products.” S.C. Code Ann. § 30-4-40(a)(1). HTC believes the Plan contains “trade secrets” as defined under South Carolina law, and that disclosure would give actual and potential competitors an unfair competitive advantage.

3. The Commission has previously recognized the confidentiality of HTC’s Network Improvement Plan. *See, e.g.*, Order No. 2008-19 in Docket No. 2007-402-C. The Commission has also treated previous ETC Annual Reports and Network Improvement Plans filed by HTC as confidential information.

4. In accordance with the Commission’s guidelines, as set out in Commission Order No. 2005-226, “Order Requiring Designation of Confidential Materials,” HTC has submitted a proprietary, un-redacted copy in a sealed envelope with each page marked “Confidential” in red ink.

WHEREFORE, Horry Telephone Cooperative, Inc., respectfully requests that the Commission grant confidential treatment to HTC’s ETC Annual Report and Network Improvement Plan, as described herein and filed under seal in the above-referenced dockets.

Respectfully submitted,

McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800



By: _____
M. John Bowen, Jr., Esquire
Margaret M. Fox, Esquire
jbowen@mcnair.net; pfox@mcnair.net

ATTORNEYS FOR HORRY TELEPHONE
COOPERATIVE, INC.

June 28, 2013

Columbia, South Carolina.

**HORRY TELEPHONE COOPERATIVE, INC. ETC ANNUAL REPORT AND NETWORK
IMPROVEMENT PLAN PROVIDED SEPARATELY UNDER SEAL**